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Report of the Secretary-General on the situation in Abkhazia, Georgia

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1462 (2003) of 30 January 2003, by which the Council decided to extend the mandate of the United Nations Observer Mission in Georgia (UNOMIG) until 31 July 2003. It provides an update of the situation in Abkhazia, Georgia, since my report of 9 April 2003 (S/2003/412).

2. My Special Representative for Georgia, Heidi Tagliavini, continued to head UNOMIG. Major General Kazi Ashfaq Ahmed (Bangladesh) continued to serve as the Chief Military Observer. The strength of UNOMIG as at 1 July 2003 was 117 military observers (see annex I).

II. Political process

3. My Special Representative, with the support of the Group of Friends of the Secretary-General, continued efforts to build upon the positive momentum begun at the United Nations-chaired brainstorming session of the Group of Friends held in Geneva in February (see S/2003/412, para. 3) with the ultimate aim of engaging the Georgian and Abkhaz sides in meaningful negotiations on a comprehensive political settlement on the basis of the paper on the distribution of competences and its transmittal letter (see S/2002/88, para. 3). In this context, the follow-up of the agreements reached at Sochi (Russian Federation) by Presidents Vladimir Putin of the Russian Federation and Edoard Shevardnadze of Georgia in March 2003 (see S/2003/412, para 5) constituted a positive contribution to the implementation of the Geneva recommendations. My Special Representative met with representatives of the Group of Friends in New York in May. She had consultations with President Putin's Special Representative for the Georgian-Abkhaz conflict, First Deputy Foreign Minister Valery Loshchinin, in Tbilisi in April and in Moscow in June and in July and, likewise, with the United States Department of State Special Negotiator for Eurasian Conflicts, Rudolf Perina, in New York in May. Senior representatives of the Group of Friends have agreed to meet again, under the chairmanship of the Under-Secretary-General for Peacekeeping Operations, in Geneva in July. The Georgian and Abkhaz sides accepted invitations to participate in part of this meeting.

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4. At the Geneva brainstorming session, three sets of issues were identified as key in advancing the peace process: economic cooperation, the return of internally displaced persons and refugees and political and security matters. Work on the substance of two of those sets of issues — economic cooperation and refugee return — was actively pursued by the Russian Federation and Georgia within the framework of the agreements reached by the two presidents in Sochi. During the period under review, three bilateral working groups were established, dealing with the rehabilitation of the Inguri hydroelectric power station, the return of refugees and internally displaced persons and the reopening of the railway between Sochi and Tbilisi. Upon request, UNOMIG took part in the meetings of the latter two groups to provide expertise. Representatives of the Tbilisi office of the Office of the United Nations High Commissioner for Refugees (UNHCR) were also present during the deliberations on the return of refugees and internally displaced persons. The Abkhaz side participated in the consultations on energy issues and was briefed about the outcome of the other working groups. The Georgian side continued to stress the need to proceed in parallel on railway restoration and refugee return. Moreover, the Georgian side highlighted that the activities of all three bilateral working groups and their outcomes would best be discussed within the framework of the recommendations that resulted from the Geneva brainstorming session.

5. While the parties moved ahead on economic cooperation and refugee return, little notable progress was made on political and security matters, including the future status of Abkhazia within the State of Georgia, and the question of security guarantees. My Special Representative maintained regular contact with the two sides to explore the possibility of launching consultations on those topics (see S/2003/412, para. 4). The Abkhaz side, however, continued to express reservations about the inclusion of the political aspects in any negotiations, based on its unilateral "declaration of independence" of 1999 (see S/1999/1087, para. 7). It also persisted in its refusal to receive the paper on the distribution of competences and its transmittal letter on the same grounds. In April and May, Mr. Loshchinin, President Putin's Special Representative for the Georgian-Abkhaz conflict, and Sir Brian Fall, the Special Representative for Georgia of the United Kingdom of Great Britain and Northern Ireland, separately visited Tbilisi and Sukhumi and found that the Abkhaz position remained unchanged. However, after consultation with the Russian Federation in its capacity as facilitator, my Special Representative explored Abkhaz readiness to participate, with the Georgian side and representatives of the Group of Friends, in a meeting on security guarantees within the framework of the Geneva recommendations. This meeting was convened on 15 July, and participants exchanged views on the issue and discussed procedural questions.

6. The United Nations-led Coordinating Council remained suspended, mainly because since January 2001 the Abkhaz side had refused to participate. During the reporting period, however, the Abkhaz side expressed its willingness to resume participation. My Special Representative is consulting with both sides to identify an opportune time to resume the Council's work.

7. The efforts of UNOMIG took place against the background of internal developments affecting both the Abkhaz and Georgian sides. On 7 April, the Abkhaz de facto government, headed by Gennadi Gagulia, resigned, and on 22 April Raul Khadzhimba, the former de facto Minister of Defence, was appointed to succeed him. The Georgian side continued to be sharply critical of the ongoing campaign by the Abkhaz to acquire Russian citizenship, the functioning of the Sochi-Sukhumi

railway and the flow of private, mainly Russian, investment to the area. The Abkhaz side, for its part, was deeply disturbed by statements of some Georgian politicians indicating that they had not completely ruled out a military option for resolving the conflict.

III. Operational activities

8. Daily UNOMIG ground patrols in the Gali and Zugdidi sectors continued throughout the period under review. In the Kodori Valley, four fortnightly joint patrols with Commonwealth of Independent States (CIS) peacekeeping force were conducted; those patrols had to be suspended, however, when four UNOMIG personnel were taken hostage on 5 June (see below). The Mission's activities in the Kodori Valley will not resume until a full review of its security procedures for the area has been completed. Likewise, operational helicopter patrols remain suspended as a result of long-standing concerns about security; administrative flights have continued along specially designated air corridors over the Black Sea.

Kodori Valley

9. The most serious incident occurred on 5 June when two UNOMIG military observers, one UNOMIG medic and their Georgian interpreter were taken hostage by an unidentified armed group on the third day of a routine patrol of the Georgian-controlled upper Kodori Valley. The four military personnel from the CIS peacekeeping force participating in the patrol were disarmed and immediately set free. My Special Representative and the Chief Military Observer worked closely with the Georgian leadership, which has ultimate responsibility for the safety of UNOMIG personnel, to secure the safe release of the detainees. All four hostages were released unharmed on 11 June following negotiations between the Georgian authorities and the hostage takers. The Georgian authorities have confirmed that, in line with United Nations policy, no ransom was paid and force was not used. Notwithstanding Georgian commitments to prosecute those responsible for the hostage incident, UNOMIG patrols in the area will remain on hold pending a full review of the Mission's operational procedures in the Kodori Valley and the introduction of more robust security measures. Given the urgency of resuming UNOMIG patrols to the Kodori Valley, those security measures will be introduced at the earliest opportunity.

10. With the exception of the hostage incident, the situation in the Kodori Valley was relatively calm. The joint UNOMIG-CIS patrols conducted prior to 5 June reported no change in the presence of armed personnel in the area. The dispute between the two sides over the legality of such a presence in the upper part of the Valley continues. In the Abkhaz view, the armed personnel are troops and, as such, their presence in the Valley constitutes a violation of the 1994 Moscow Agreement (S/1994/583, annex I). For Georgia, they are border guards and local reservists, which are not prohibited by the Agreement.

Gali and Zugdidi sectors

11. UNOMIG patrols reported the security environment in the Gali Sector as being generally calm but unstable, with some periods of heightened tension, often caused by criminal activity. During a routine exercise by Abkhaz anti-aircraft units in an

area overlapping the Gali restricted-weapon zone, UNOMIG observed three armoured transport vehicles suspected of being used to carry weapon systems in violation of the Moscow Agreement. UNOMIG raised the issue with the de facto Abkhaz authorities.

12. Local law enforcement officials struggled to address the high level of criminal activity in the Gali sector. Six murders, seven shootings, one kidnapping, twenty-two robberies and one landmine explosion were reported. Major incidents included the following: on 1 April, shots were fired at the car of the Director of the Inguri power station, who managed to escape unharmed; on 16 April, unknown perpetrators hijacked a HALO Trust vehicle near Sukhumi at gunpoint and stole employees' salaries; in the lower Gali region, close to the ceasefire line, an Abkhaz customs officer was ambushed and killed on 4 May; on 14 May, Abkhaz militia shot and killed one of two individuals who tried to flee after being arrested for illegal possession of a hand grenade; a resident of a village in the lower Gali region was shot dead the next day after purportedly trying to escape the custody of a police unit from Sukhumi; on 7 June, four members of the Abkhaz security services were wounded during an ambush; during an attempted robbery of a house in a village near Gali city on 22 June, armed men killed the sister of the Abkhaz Minister of Information in exile and wounded two others; and on 25 June, a Georgian and an Abkhaz were killed during a shooting on the Inguri bridge.

13. Against this backdrop, Abkhaz law enforcement agencies conducted four stop-and-search operations in the upper and lower Gali regions. The most intensive operation was launched with support from the de facto Ministry of Interior between 23 and 29 May, principally to address reports about the presence of illegal armed groups on the eve of Georgia's Independence Day, 26 May. The augmentation of UNOMIG patrols during the period helped to limit the impact of the search operations on the local population.

14. Fewer incidents were reported in the Zugdidi sector, which was assessed as calm by UNOMIG observers. Three murders, two shootings, one explosion, three abductions, and six robberies were recorded. Zugdidi police reported the capture of members of two organized criminal gangs and the seizure of weapons and ammunition. UNOMIG observers were granted access to the Torsa camp, allegedly a training facility for an anti-terrorist police force, run by the Abkhaz security services in exile. Currently, UNOMIG patrols are regularly visiting the camp.

15. Frequent demonstrations and acts of civil disobedience posed a challenge for local law enforcement in the Zugdidi sector and hindered the implementation of the Mission's mandated tasks. Local residents held a range of protests on political issues and against the poor provision of essential services. On 1 June, internally displaced persons blocked the bridge over the Inguri River, the only official crossing point over the ceasefire line, to protest the reported extension of the mandate of the CIS peacekeeping force; the protest ended after discussions with Georgian officials. Another blockade was staged on 5 June. Local residents also blocked the exit road of the UNOMIG logistics headquarters in Zugdidi demanding that UNOMIG repair roads. The matter was resolved with the intervention of the local administration.

16. The quadripartite joint fact-finding group, which brings together the two sides as well as representatives of the CIS peacekeeping force and UNOMIG, continued to investigate incidents of violence. All parties regularly attended scheduled weekly

meetings and responded promptly to incidents. Seven cases are currently under joint investigation.

IV. Cooperation with the collective peacekeeping forces of the Commonwealth of Independent States

17. UNOMIG and the CIS peacekeeping force have continued to work together closely, particularly during joint patrols to the Kodori Valley, in the joint fact-finding group and at the weekly quadripartite meetings. Regular staff meetings at the working level complement the frequent exchanges between the Chief Military Observer and the Commander of the CIS peacekeeping force.

18. Georgian and Russian authorities are currently working to formalize the understanding on the presence of the CIS peacekeeping force reached between the Presidents of the two countries at Sochi (see S/2003/412, para. 20).

V. Policing issues

19. In an effort to improve law and order in the Gali sector, and in doing so to address one of the impediments to voluntary return, my Special Representative has initiated discussions with the two sides on the recommendations of the 2002 security assessment mission (see S/2003/412, para. 16). The central aim of those recommendations is to build the capacity of local law enforcement by coordinating and facilitating assistance with respect to training and equipment; the provision of advice to and monitoring of local law enforcement agencies; and the facilitation of cooperation across the ceasefire line. UNOMIG has obtained the agreement of the two sides with the recommendation that a small civilian police component of 20 officers be added to the Mission to strengthen its own capacity to implement its mandate and to assist in carrying out the tasks listed above.

VI. Humanitarian situation and human rights

20. International humanitarian agencies and non-governmental organizations (NGOs) continued to provide food and medical assistance to those most in need. UNHCR continued to provide health care and other social assistance to more than 270 vulnerable and elderly persons in Sukhumi. The European Community Humanitarian Office (ECHO) visited Georgia in May 2003 to monitor projects implemented with ECHO funding on both sides of the ceasefire line and to identify needs possibly to be covered under the 2003 budget. In 2002, ECHO had allocated €1.3 million to support the most vulnerable in a programme implemented by the International Committee of the Red Cross (ICRC) and the Spanish NGO Acción Contra el Hambre (ACH). ICRC has signed a memorandum of understanding with the de facto Abkhaz health authorities on the continuation of food aid throughout the region in 2003 for nearly 20,000 of the most destitute and vulnerable residents. With ECHO and Swiss funding, two NGOs — ACH and Première Urgence — continued their projects for vulnerable people in Abkhazia, Georgia, aimed respectively at improving food security and rehabilitating individual houses and some collective accommodations.

21. Efforts were also focused on the restoration of infrastructure and basic services. UNHCR, in cooperation with local authorities and beneficiary communities, continued to focus on the school rehabilitation of communal educational infrastructures. In addition to the 73 schools rehabilitated in 2001-2002, UNHCR is in the process of assisting in the rehabilitation of 10 more school buildings in Abkhazia, Georgia, including 6 in the Gali district. UNOMIG completed 8 of 20 ongoing quick-impact projects designed to improve conditions for displaced persons and also continued to repair roads and bridges to improve access for its observer patrols. The HALO Trust continued to perform mine clearance and mine-awareness training. The United Nations Development Fund for Women completed four public diplomacy meetings in Gali designed to provide a networking forum for women, and is conducting two training projects through local NGOs to strengthen the role of women in management and business.

22. Criminal activity remains a significant concern for the provision of humanitarian assistance, as exemplified by the hijacking and robbery of the HALO Trust (see para. 12 above).

23. The human rights situation in Abkhazia, Georgia, during the past three months remained precarious. The Abkhaz law enforcement agencies are too weak to adequately protect local residents from the high level of criminal activity. The United Nations Human Rights Office has increased its activities in Abkhazia, Georgia, implementing several projects on education and the media, to raise awareness of international human rights standards. It was noted with concern that children in the Gali district still did not have access to education in their mother tongue. Additional efforts to promote respect for human rights will be needed in view of the expected return of internally displaced persons and refugees in the process of implementing the Geneva recommendations and the Sochi agreements.

VII. Financial implications

24. The final implications of increasing the civilian police capacity of UNOMIG (see paras. 19 and 30) through the addition of 20 police advisers with training, management and monitoring functions would amount to approximately $1,775,000.

25. The estimate covers a period of 11 months, beginning 1 August 2003, and also provides for 2 international and 11 national staff, as well as logistical support. A breakdown of the estimated costs by category of expenditure is provided in annex II.

26. By its resolution 57/333 of 18 June 2003, the General Assembly appropriated an amount of $30,709,000 for the maintenance of UNOMIG for the period from 1 July 2003 to 30 June 2004. The above estimate would be in addition to that amount.

27. Should the Security Council decide to extend the mandate of UNOMIG and to add a civilian police capacity, I would then seek the additional resources required from the General Assembly.

VIII. Observations

28. The United Nations-led peace process received a welcome boost following the Geneva brainstorming session and the Sochi summit. The United Nations strongly

supports these activities, which are aimed at enhancing cooperation between the two sides on matters of mutual concern and advancing, ultimately, towards a comprehensive political settlement. The important role of the Group of Friends in moving the peace process forward is particularly appreciated.

29. At the same time, it is regrettable that the core political issue — the future status of Abkhazia within the State of Georgia — still has not been addressed, despite the renewed opportunity to do so within the framework of the recommendations made by the Group of Friends in February. The paper on competences and its transmittal letter provide sufficient scope for addressing the justified concerns of the Abkhaz people in a satisfactory manner on the basis of international legitimacy. Both sides, in particular the Abkhaz side, need to muster the political will necessary to address the political aspects of the conflict. Only then can a sustainable and comprehensive settlement be found.

30. The recent initiative by Georgia and the Russian Federation to start a dialogue on the process of refugee return, on the basis of the 1994 quadripartite agreement on voluntary return (S/1994/397, annex II), among others, is particularly encouraging. UNOMIG and UNHCR remain committed to helping refugees and internally displaced persons exercise their right to return to their places of former residence safely and with dignity. The recommendations of the joint assessment mission to the Gali district of November 2002 have set out an overall framework, but require further implementation by the two sides. The recommendations formulated by the security assessment mission of October to December 2002 include advice, in particular, on how to improve the security situation in the Gali district. In accordance with those recommendations, I recommend that a civilian police component of 20 officers be added to UNOMIG to strengthen its capacity to carry out its mandate and, in particular, to contribute to the creation of conditions conducive to the safe and dignified return of internally displaced persons and refugees.

31. I strongly condemn the hostage-taking incident of 5 June 2003, which is the sixth such incident since the establishment of the Mission in 1993. None of the perpetrators of criminal acts against UNOMIG personnel, or those responsible for the shooting down of a UNOMIG helicopter in 2001, have ever been identified or brought to justice. This impunity needs to end. I remind both sides of their responsibility to ensure safety and security for UNOMIG personnel at all times. The CIS peacekeeping force plays an important role in the Mission's security; it is therefore to be hoped that an agreement on the extension of its mandate can be reached soon.

32. I continue to believe that UNOMIG plays an essential role in stabilizing the situation in the conflict zone and in providing a framework within which the sides can advance towards a comprehensive settlement. I therefore recommend a further extension of the mandate of UNOMIG for six months, until 31 January 2004.

33. In conclusion, I would like to express my appreciation for Ms. Tagliavini, my Special Representative, Ms. Roza Otunbayeva, her Deputy, and Major General Ashfaq, the Chief Military Observer, for the dynamic leadership that they provide for UNOMIG. I also commend the men and women of UNOMIG for their dedication and courage in carrying out their duties under difficult and often dangerous circumstances.

Annex I

Countries providing military observers (as at 1 July 2003)

Country	*Military observers*
Albania	3
Austria	2
Bangladesh	9[a]
Czech Republic	6
Denmark	5
Egypt	3
France	3
Germany	11
Greece	5
Hungary	7
Indonesia	4
Jordan	7
Pakistan	9
Poland	4
Republic of Korea	7
Russian Federation	3
Sweden	3
Switzerland	4
Turkey	5
Ukraine	5
United Kingdom of Great Britain and Northern Ireland	7
United States of America	2
Uruguay	3
Total	**117**

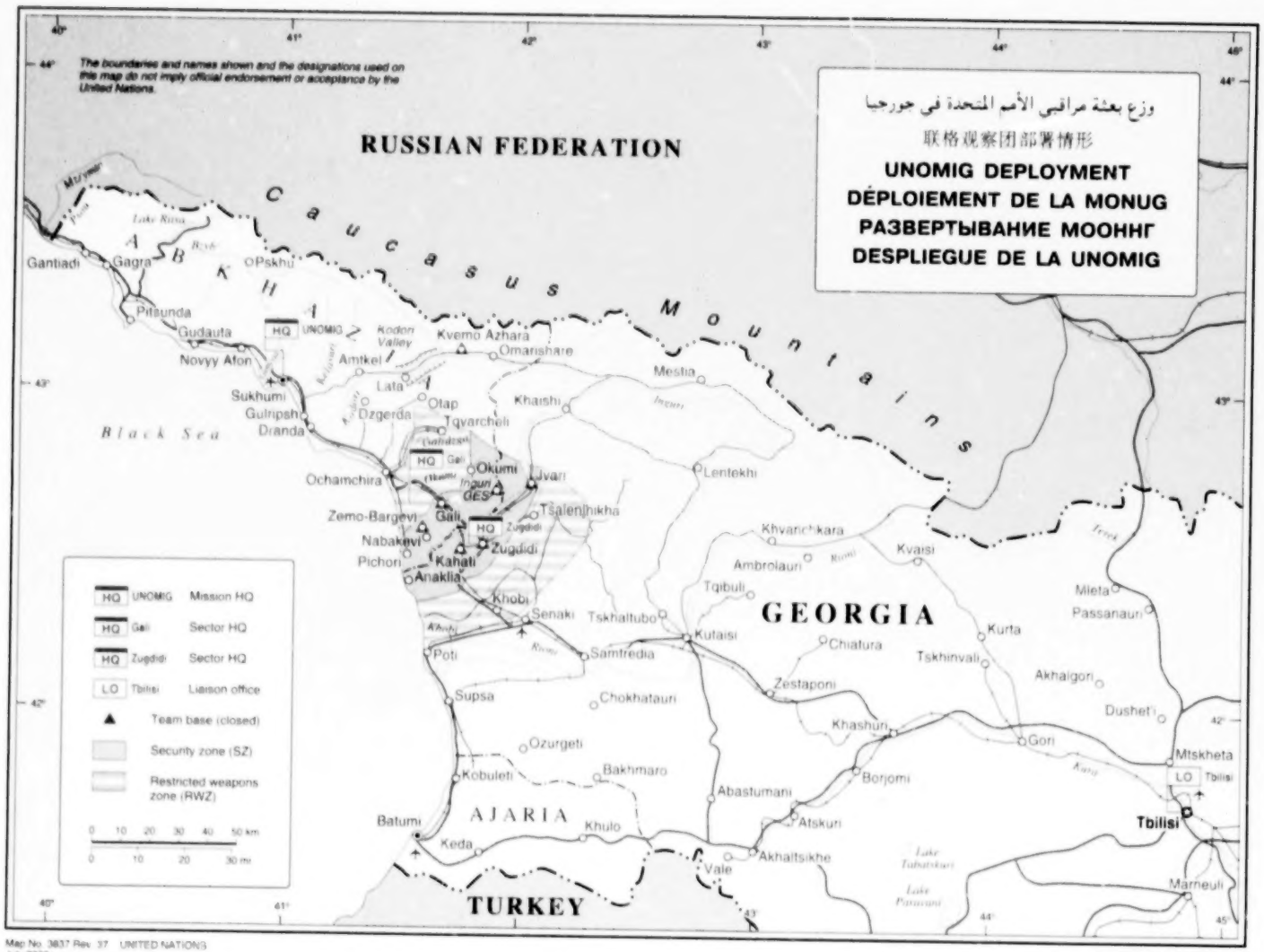
[a] Including the Chief Military Observer.

Annex II

Cost estimates for the deployment of 20 civilian police personnel in the United Nations Observer Mission in Georgia for an 11-month period beginning 1 August 2003

(Thousands of United States dollars)

Category	*Cost estimates*
Military and police personnel	
Military observers	-
Military contingents	-
Civilian police	565
Formed police units	-
Civilian personnel	
International staff	268
National staff	148
United Nations Volunteers	-
Operational costs	
General temporary assistance	-
Government-provided personnel	-
Civilian electoral observers	-
Consultants	-
Official travel	30
Facilities and infrastructure	154
Ground transportation	387
Air transportation	-
Naval transportation	-
Communications	70
Information technology	85
Medical	11
Special equipment	-
Miscellaneous supplies, services and equipment	57
Quick-impact projects	-
Gross requirements	**1 775**
Staff assessment income	67
Net requirements	**1 708**
Voluntary contributions in kind (budgeted)	-
Total resource requirements	**1 708**



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